

875—36.11(91A) Decision of the commissioner.

36.11(1) Upon receipt of all requested information, the commissioner may determine the employee's complaint alleging discharge or discrimination is enforceable, and the commissioner shall notify the employee of that determination.

36.11(2) Upon a determination that the employee's complaint alleging discharge or discrimination is enforceable, the commissioner shall notify the employer of that determination in writing and afford the employer an opportunity to tender settlement within 14 days of the writing prior to initiating judicial proceedings.

36.11(3) Upon a determination that the employee's complaint alleging discharge or discrimination is unenforceable, the commissioner shall notify the employee of that decision in writing. The employee shall have 14 days from the date of the written notification to appeal the decision to the commissioner. If the appeal is not made in writing within the 14-day period, then the employee loses the right to appeal the unenforceable decision.